



# **CITY OF BRAZIL**

## **Office of Planning and Zoning/Code Enforcement**

*A. Ann Bradshaw, Mayor  
Stacy Gibbens, Plan Administrator*

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### **City of Brazil Advisory Plan Commission Regular Meeting August 11, 2009 at 6:00 p.m.**

Meeting called to order by Pat Heffner at 6:03 p.m. Previous minutes reviewed. Motion to approve made by Charles Hear, seconded by Veda Bussing. Unanimously approved.

Roll Call:	Pat Heffner, present	Bill Hammer, not present
	Veda Bussing, present	Bill Lovett, present
	Matt Pollum, present	Charles Hear, present
	Nancy White, present	Brad Emmert, not present
	Stacy Gibbens, present	

New Business: Rita Fortner Petition for re-zoning 1227 N. Forest Ave. from R-1 to LB

Stacy Gibbens explained request of allowing water hauling business and parking trucks and selling crafts out of house.

Rita Fortner explained her business is six years old and she hauls water to Greencastle, Terre Haute and Sullivan. Neighbors in subdivision objecting. Adjacent neighbors, Albert Landes, next door neighbor approves because she has cleaned it up and improved it.

#### **Forest Manor**

Rick Packard of Wesley Drive would like area to stay residential. No problem with having a gift shop. Charles Hear questions how close are the other houses to the area? Packard answers there are a number of houses that are very close.

Ellen Packard would not have bought in the area 15 years ago if they thought it would change. Charles Hear asks has it been used for that purpose, have any of their property values changed? Packard answers yes.

Jasen Gibbens says she should have asked for a variance before putting her business in.

Mike McCullough has nothing against Mrs. Fortner. He states that this is one of the nicer residential neighborhoods and he would hate to have it changed. He also knows there is a problem with the State Highway Commission that Mrs. Fortner has not resolved.

Bill Kirchner spoke in favor of the variance.

Steve McCullough gave a speech on property values and says this would de-value the property. He also complained about tanker trucks and trailers.

Janet Rhodes (sp?) spoke against re-zoning the property.

Rita Fortner says the only people who should be upset would be the people directly to the north and south.

Judy (?) questions should there be a zoning variance.

Mr. and Mrs. Wheeler stated that have a whole lot of money in their home and didn't buy it at a Sheriff's Sale.

Mrs. McCullough is concerned that if this property is rezoned to a business designation, eventually it might become a used car lot if Rita sells it.

Mr. Wilcox says the white rock was not put in properly and driveway will be a pigpen by this winter.

Steve McCullough also brings up that there is a safety issue with pulling out onto the highway.

Stacy explained our zoning plan.

Mike McCullough asked for a show of hands on Clay Co. having countywide zoning. Majority of people raised their hands (everyone except 3)

Steve McCullough stated he is not opposed to growth and is all for zoning if it is done well. He lost \$10,000.00 in property value.

Veda Bussing says this would affect property values. The petition "for" contains names of people living in apartments across the street but Dr. Henderson, the owner of the apartments is opposed. She also says we have worked too hard to go backward now.

Charles Hear moves to table until he can look at property. Seconded by Matt Pollum. Vote tied: Hear, Pollum and Bill Lovett for; Pat Heffner, Veda Bussing, Nancy White against. Stacy breaks tie, voting against. Motion dies.

No motion to approve re-zoning of property. Recommendation made by Commission to not re-zone property.

Motion to adjourn – Veda Bussing makes motion, Bill Lovett seconded. Meeting adjourned.